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DISTRICT COURT OF NEW JERSEY

JONATHAN BOWEN,	)	Case No.:
	)	
Plaintiff,	)	
	)	
vs.	)	CIVIL COMPLAINT
	)	JURY DEMAND
QUALITY ASSET RECOVERY	)	
	)	
Defendant.	)	
	)	
	)	

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Plaintiff, Jonathan Bowen, on behalf of himself (hereinafter “Plaintiff”), by and through his undersigned attorney, alleges against the Defendant, Quality Asset Recovery (hereinafter “Defendant”) as follows:

**PRELIMINARY STATEMENT**

1. This is an action for damages arising from Defendants’ violations of 15 U.S.C. § 1692 *et seq.*, the Fair Debt Collection Practices Act (hereinafter “FDCPA”), which prohibits debt collectors from engaging in abusive, deceptive and unfair practices.

**JURISDICTION AND VENUE**

2. This Court has jurisdiction over this action pursuant to 28 U.S.C. § 1331 and 15 U.S.C. §1692k(d).
3. Venue is proper in this district under 28 U.S.C § 1391(b).

**PARTIES**

4. Plaintiff is a natural person, who at all relevant times has resided in the City of Red Bank, Monmouth County, New Jersey, and is a “consumer” as defined by 15 U.S.C. § 1692a(3).
5. Defendant is a corporation doing business and incorporated in the State of New Jersey, with its corporate address as 7 Foster Avenue, Suite 101, Gibbsboro, New Jersey, 08026 and is a “debt collector” as defined by 15 U.S.C § 1692a(6).

**FACTUAL STATEMENT**

6. On December 18, 2013, Plaintiff obtained a copy of his credit report.
7. Plaintiff saw one tradeline on his credit report that was reported by Defendant, with the most recent reporting having taken place in November 2013.
8. The account number listed on Defendant’s tradeline was \*\*\*\*11523 with the original creditor being Medical Payment Data.
8. On January 23, 2014, Plaintiff sent, via facsimile to (856) 925-1020, a letter advising that he disputed the debt. The letter requests various information and documentation in an effort to verify that the debt is valid.
9. On March 4, 2014, Plaintiff, having received nothing in the way of the requested information, ran his credit report.
10. The credit report issued March 4, 2014 stated that Defendant’s tradeline was reported in February 2014.

11. Despite reporting the debt again to the credit bureau in February 2014, Defendant failed to mark the tradeline on the credit report as disputed.

**COUNT I**  
**VIOLATION OF THE FAIR DEBT COLLECTIONS PRACTICES ACT**  
**15 U.S.C. § 1692(e)(8)**

12. Plaintiff repeats the allegations contained in paragraphs 1 through 11 and incorporates them as if set forth at length herein.
13. Defendant was the author of one “collection” tradeline on Plaintiff’s credit report run December 18, 2013 with a reported date of November 2013.
14. Plaintiff advised Plaintiff via letter dated January 23, 2014, that the debts were being disputed.
15. Plaintiff ran his credit report again on March 4, 2014.
16. Despite reporting the debt to the credit bureau again in February 2014, Defendant failed to update the tradeline as being disputed by Plaintiff.
17. Defendant’s failure to report the debt to the credit bureaus as disputed after receiving Plaintiff’s dispute when updating their tradeline is a violation of 15 U.S.C. § 1692e(8) which prohibits failing to communicate that a disputed debt is disputed.

WHEREFORE, Plaintiff, Jonathan Bowen, respectfully requests that this Court enter judgment against the defendant, and on behalf of the Plaintiff, for the following:

- a. That an order be entered declaring the Defendant’s actions, as described above, in violation of the FDCPA;

- b. That judgment be entered against the Defendant for actual damages, pursuant to 15 U.S.C. § 1692k(a)(1);
- c. That judgment be entered against the Defendant for statutory damages, pursuant to 15 U.S.C. § 1692k(a)(2)(A) and (B), in the amount of \$1,000.00;
- d. That the court award costs and reasonable attorneys' fees, pursuant to 15 U.S.C. § 1692k (a)(3):
- e. That the Court grant such other and further relief as may be just and proper.

Dated this 9th day of September 2014

Respectfully Submitted,

s/ Matthew T. Sheffield  
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